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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA

4 v.

14 CR 130 (RPP)

5 ALLEN WILLIAMS, ROBERTO GRANT,
6 TERRELL RATLIFF, TYRONE
7 DEHOYOS

Defendants

-----x

8 New York, N.Y.
9 February 27, 2014
10 11:15 a.m.

11 Before:

12 HON. ROBERT P. PATTERSON, JR.
13 District Judge

14 APPEARANCES

15 PREET BHARARA
16 United States Attorney for the
17 Southern District of New York
18 ANDREA GRISWOLD
19 RICHARD COOPER
20 Assistant United States Attorney

21 NATALI J. H. TODD
22 Attorney for Defendant Ratliff

23 JESSE SIEGEL
24 Attorney for Defendant Grant

25 KAFAHNI NKRUMAH
Attorney for Defendant Williams

FEDERAL DEFENDERS OF NEW YORK INC.
Attorney for Defendant Dehoyos
ROBERT M. BAUM

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(In open court; case called)

THE DEPUTY CLERK: Is the government ready in this matter?

MR. GRISWOLD: Yes. Good morning, your Honor. Andrea Griswold and Richard Cooper for the government.

MR. COOPER: Good morning, your Honor.

THE COURT: Good morning Ms. Griswold and Mr. Cooper.

THE DEPUTY CLERK: Defendant Allen Williams ready in this matter?

MR. NKRUMAH: Good morning, your Honor. Kafahni Nkrumah for Mr. Williams your Honor. It's my understanding I understand from your clerk that Mr. Williams refused to come to court this morning. After I leave this proceeding, I'm going to go across the street and find out exactly what happened, but I would ask this Court if this Court would reschedule Mr. Williams' arraignment for March 5.

THE COURT: Can't we get him in this afternoon?

MR. NKRUMAH: This afternoon is fine with me, your Honor. I can do it. It would all depend on the marshals. I'm not sure if they would be able to bring him over.

THE COURT: I can order them to take him out of the cell by force, if necessary. I don't see any excuse for his not appearing.

MR. NKRUMAH: Your Honor, that will be fine. I'm getting ready to go across the street now to speak with him,

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1 and this afternoon would be fine.

2 THE COURT: All right. Thank you, Mr. Nkrumah.

3 Then we have Roberto Grant, Mr. Siegel.

4 MR. SIEGEL: Good morning, Judge. Jesse Siegel for
5 Roberto Grant. Mr. Grant is right here.

6 THE COURT: Good morning, Mr. Siegel. Good morning,
7 Mr. Grant.

8 And Terrell Ratliff.

9 MS. TODD: Good morning, your Honor. Natali Todd for
10 Mr. Ratliff, who is seated to my left.

11 THE COURT: Thank you. Good morning, Mr. Ratliff and
12 Ms. Todd.

13 And Tyrone Dehoyos. Is that the way you pronounce it?

14 MR. BAUM: Correct, your Honor. Robert M. Baum on
15 behalf of Mr. Dehoyos.

16 THE COURT: Good morning, Mr. Baum. Good morning,
17 Mr. Dehoyos.

18 We will proceed to arraign the defendants who are
19 here.

20 For Roberto Grant, Mr. Siegel, have you seen a copy of
21 the indictment charging the defendant with conspiracy to commit
22 violation of Title 18 United States Code, Section 1951,
23 conspiracy to commit robbery?

24 MR. SIEGEL: Yes, Judge.

25 THE COURT: And also charges in Count Two, committing

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1 a robbery on July 1, 2013; Count Three, committing a robbery on
2 August 3, 2013 in Richmond, Virginia; and in Count Four,
3 committing a robbery in Cranford, New Jersey on January 9,
4 2014; and Count Five, committing a robbery on January 30, 2014
5 in Manhattan, a jewelry store in Manhattan.

6 MR. SIEGEL: Yes, Judge, I have received a copy of the
7 indictment. I have reviewed it with Mr. Grant. We waive its
8 public reading, and he is prepared to enter a plea of not
9 guilty.

10 THE COURT: Mr. Grant, have you seen a copy of the
11 indictment charging you with conspiracy to commit robberies
12 during the period July 1, 2013 up through January 30, 2014 and
13 also with engaging in robberies on July 1, 2013, August 3, 2013
14 and January 9, 2014 and January 30, 2014?

15 DEFENDANT GRANT: Yes.

16 THE COURT: Have you discussed the indictment with
17 your lawyer, Mr. Siegel?

18 DEFENDANT GRANT: Yes.

19 THE COURT: Do you waive a reading of the indictment
20 or do you wish to have it read to you?

21 DEFENDANT GRANT: I'll waive it.

22 THE COURT: And you plead not guilty in connection
23 with these charges?

24 DEFENDANT GRANT: Yes. Not guilty.

25 THE COURT: A plea of not guilty will be entered on

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1 behalf of the defendant Roberto Grant. Thank you very much.

2 MR. SIEGEL: Thank you, Judge.

3 THE COURT: Mr. Ratliff, Ms. Todd.

4 MS. TODD: Yes, your Honor.

5 THE COURT: Have you seen a copy of the indictment
6 charging the defendant with conspiracy to commit robbery
7 between July 1, 2013 and January 30, 2014 and also with a
8 robbery on July 1, 2013 of a jewelry store in Atlantic City,
9 New Jersey and charging him also in Count Three with another
10 robbery?

11 MS. TODD: No, your Honor, he is not charged in Count
12 Three.

13 THE COURT: He is not charged in that count?

14 MS. TODD: He is only charged in Count One and Count
15 Two.

16 THE COURT: Right.

17 MS. TODD: I have received a copy of the indictment.
18 I have reviewed both counts with him; in fact, the entire
19 indictment. We waive a public reading of the indictment, and
20 he is prepared to enter a plea of not guilty.

21 THE COURT: Mr. Ratliff, have you seen a copy of the
22 indictment charging you in Count One with conspiracy to commit
23 robbery between July 1, 2013 through January 30, 2014 and also
24 participating in a robbery on July 1, 2013 in Atlantic City,
25 New Jersey?

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1 DEFENDANT RATLIFF: Yes.

2 THE COURT: I'm sorry?

3 DEFENDANT RATLIFF: Yes.

4 THE COURT: You haven't seen it?

5 DEFENDANT RATLIFF: I seen it.

6 THE DEPUTY CLERK: He said yes.

7 THE COURT: He said yes? I'm sorry. I got new
8 hearing aids. I got them just this morning.

9 DEFENDANT RATLIFF: Yes.

10 THE COURT: All right. Thank you. Have you discussed
11 the charges with your lawyer, Ms. Todd?

12 DEFENDANT RATLIFF: Yes.

13 THE COURT: Do you wish to have the indictment read to
14 you at this time or do you waive reading of the indictment?

15 DEFENDANT RATLIFF: I waive the reading.

16 THE COURT: Do you wish a plea of not guilty entered
17 on your behalf at this time?

18 DEFENDANT RATLIFF: Yes. Yes.

19 THE COURT: A plea of not guilty will be entered on
20 behalf of Mr. Ratliff at this time.

21 Tyrone Dehoyos, Mr. Baum.

22 MR. BAUM: Yes, your Honor.

23 THE COURT: Have you seen a copy of the indictment
24 charging the defendant with conspiracy to commit robberies
25 during the period July 1, 2013 to January 30, 2014, and in

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1 Count Four with committing a robbery on January 9, 2014 with
2 others of a jewelry store located in Cranford, New Jersey?

3 MR. BAUM: I have seen the indictment. I've discussed
4 it with Mr. Dehoyos. I provided him with a copy of the
5 indictment, and we waive its public reading.

6 THE COURT: Mr. Dehoyos, have you seen a copy of the
7 indictment charging you with --

8 DEFENDANT DeHOYOS: Yes.

9 THE COURT: -- conspiracy to commit robbery in Count
10 One and with engaging in a robbery in Count Four --

11 DEFENDANT DeHOYOS: Yes.

12 THE COURT: -- of a jewelry store in Cranford, New
13 Jersey?

14 DEFENDANT DeHOYOS: Yes.

15 THE COURT: And have you discussed the charges with
16 your lawyer, Mr. Baum?

17 DEFENDANT DeHOYOS: Yes.

18 THE COURT: Do you waive a reading of the indictment
19 or do you wish it read to you?

20 DEFENDANT DeHOYOS: No, I waive.

21 THE COURT: Would you like a plea of not guilty
22 entered on your behalf?

23 DEFENDANT DeHOYOS: Yes.

24 THE COURT: A not guilty plea will be entered on
25 behalf of Mr. Dehoyos.

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1 All right. Thank you very much. When will the
2 government make the requisite discovery, Ms. Griswold?

3 MR. GRISWOLD: Thank you, your Honor.

4 This is a robbery scheme involving a snatch-and-dash
5 crew where the group goes into robbery stores with a sledge
6 hammer, smashes display cases targeting high-end watches. The
7 discovery in this case consists, therefore, of surveillance
8 video and still images derived from the robbery scene as well
9 as cell site information relating to the cell phones that the
10 defendants had before, during and after the robbery.

11 In addition, it also consists of search warrants that
12 are currently being executed on cell phones seized from the
13 defendants in connection with their arrest, as well as post
14 arrest statements for defendants Williams and Ratliff.

15 Today the government has produced the complaint,
16 indictment, criminal histories for each defendant as well as
17 the video and surveillance stills for all four of the robberies
18 that are charged in Counts Two through Five of the indictment.
19 We would request two weeks until March 13 to provide the
20 remaining discovery of the discovery I just outlined.

21 THE COURT: Assuming the discovery is made by
22 March 13, how long does the defense want to review the
23 discovery now that you have heard the nature of the discovery
24 that they intend to utilize in this case?

25 MR. BAUM: Judge, I am going to be on vacation

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1 starting next week for two weeks. I will be returning
2 March 19, so I would like probably two weeks after that to
3 review, meet with Mr. Dehoyos, and I believe my co-counsel
4 would join in that application.

5 MS. TODD: That is correct, your Honor.

6 MR. SIEGEL: That's fine, Judge.

7 THE COURT: So something like April 3?

8 MR. BAUM: That's fine, Judge.

9 THE COURT: April 3 for motions?

10 MR. SIEGEL: Judge, is that April 3 for motions or
11 April 3 to come back and tell you whether --

12 THE COURT: I'm open to any suggestions.

13 MR. SIEGEL: Judge, actually, I just noticed that I am
14 going to be on vacation April 3. It's a short trip to
15 California. I will be back the following week. I'm sorry for
16 that. I was going to suggest on that date we come back and
17 inform the Court whether or not we would be intending to file
18 motions.

19 THE DEPUTY CLERK: April 10th at 4:00.

20 MR. SIEGEL: That works fine for me.

21 MR. BAUM: It's fine for me, Judge.

22 MS. TODD: Fine for me too, Judge.

23 MR. SIEGEL: At what time, Robert?

24 THE DEPUTY CLERK: 4:00.

25 THE COURT: That doesn't fall in the middle of my

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1 trial, does it?

2 THE DEPUTY CLERK: No.

3 THE COURT: April 10 at 4:00 then to advise us whether
4 there are any motions to be made and to set a trial date. Are
5 there other things that have to be taken up this morning?

6 MR. GRISWOLD: Unless there's anything else from the
7 defendants, the government would move for an exclusion of time
8 between now to April 4 to allow the defendants time to review
9 the discovery that's being produced today -- I'm sorry --
10 April 10, your Honor.

11 MR. BAUM: Judge, on behalf of Mr. Dehoyos, we would
12 like to make a bail application sometime between today and next
13 Tuesday. I am leaving next Wednesday on vacation, so subject
14 to your Honor's schedule, I am available at any time between
15 now and next Tuesday afternoon.

16 THE COURT: All right. You just let Mr. Monteagudo
17 know and we'll set up a time.

18 MR. BAUM: I'll speak with the government, Judge.
19 Perhaps we can arrange something.

20 THE COURT: Then I will exclude the time until
21 April 10 at 4:00 p.m. from calculations under the Speedy Trial
22 rule.

23 Anything else to take up?

24 MR. GRISWOLD: Not from the government. Thank you,
25 your Honor.

1 MR. BAUM: Nothing further, your Honor.

2 MR. SIEGEL: Nothing further, Judge. Thank you.

3 (Adjourned)

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